

REMARKS

Claims 1-26 are rejected in the Action under 35 U.S.C. §112, second paragraph, as being indefinite. The position of the Office regarding claims 1, 6, 14 and 19 is that the expression "an effective amount of a coumarin analog" in these claims is indefinite because the claims do not recite the function which is to be achieved. The rejection relating to the terminology "an effective amount of a coumarin analog" in claims 1 and 6 is believed to have been overcome by the above amendments to these claims. Specifically, in claim 1 the expression "an effective amount of a coumarin analog represented by formula (1) below, ..." has been changed to: --an amount of a coumarin analog effective to prevent color fading/discoloration of a composition containing an oil-soluble pigment, wherein the coumarin analog is represented by formula (1) below, ...--. A similar amendment has been made to claim 6. Descriptive support in the application for the amendments to claims 1 and 6 is, for example, the description of the invention in the "Field of the Invention" section of the application on page 1 and the description of specific pigments against which the color

fading/discoloration preventive agent of the present invention is effective on page 22, lines 13-17, and in the examples.

Regarding claims 14 and 19, the rejection is believed to have been overcome by the above amendments to these claims in which the terminology "an effective amount of" has been deleted.

The position of the Office regarding claims 2 and 15 is that the phrase "selected from" is improper Markush language. This rejection has been overcome by changing "selected from" to --selected from the group consisting of-- as suggested by the Examiner.

The position of the Office regarding claims 11-13 and 24-26 is that the phrase "coumarin analog mixture comprising carrying the residue following distillation...with a solvent" is vague and indefinite because it is unclear exactly what the coumarin mixture contains. Applicants agree with the Examiner that this phrase is unclear. Claims 11-13 have been amended to recite --a coumarin analog mixture that is obtained by a method comprising carrying the residue following distillation treatment of citrus cold press oil-- Claims 24-26 have been amended by deleting "that contains

at least 50 wt% of a coumarin analog mixture comprising" and inserting --, wherein the coumarin analog mixture is obtained by a method comprising--.

Removal of the 35 U.S.C. § 112, second paragraph, rejection is believed to be in order and is respectfully requested.

Claims 1 and 2 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yue et al. (U.S. Patent No. 5,700,451) ("Yue"). The positions of the Office are that Yue suggests the addition of esculetin, daphnetin and glucosides to a sunscreen composition and that the resultant composition would be a color fading/discoloration preventive agent as recited in claims 1 and 2.

Applicants respectfully submit that a sunscreen composition which prevents the formation of color, cannot reasonably be considered to be a color fading/discoloration preventive agent.

Notwithstanding that the sunscreen composition of Yue cannot reasonably be considered to be a color fading/discoloration preventive agent, the above-described amendment to claim 1 to recite the amount of the coumarin analog in the color fading/discoloration preventive agent of the present invention as

an amount effective to prevent color fading/discoloration of a composition containing a water or an oil-soluble pigment operates to distinguish the agent over the composition of Yue. Yue does not disclose a composition containing an amount of a coumarin analog effective to prevent color fading/discoloration of a composition containing a water or an oil-soluble pigment

Removal of the 35 U.S.C. § 103(a) rejection is believed to be in order and is respectfully requested.

The indication of the allowability of claims 3-26 is noted with appreciation.

The foregoing is believed to be a complete and proper response to the Office Action dated October 9, 2003, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of

PATENT APPLN. NO. 10/098,614
RESPONSE UNDER 37 C.F.R. §1.111

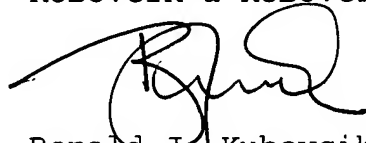
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time. The fee for any such extension may be charged to our Deposit Account No. 111833.

In the event any additional fees are required, please also charge our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK

A handwritten signature in black ink, appearing to read 'Ronald J. Kubovcik', is written over the printed name.

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